Judicial Branch

Historical Summary

| OPERATING BUDGET | FY 2002 | FY 2002 | FY 2003 | FY 2004 | FY 2004 |
|--------------------------------|------------|------------|------------|------------|------------|
| | Total App | Actual | Approp | Request | Gov Rec |
| BY PROGRAM | | | | | |
| Supreme Court | 4,355,700 | 4,053,600 | 4,292,400 | 4,372,200 | 4,233,400 |
| Law Library | 641,600 | 651,200 | 663,300 | 676,800 | 669,000 |
| District Courts | 10,508,600 | 10,423,100 | 10,572,500 | 10,727,900 | 10,620,600 |
| Magistrates Division | 10,314,800 | 10,478,500 | 10,497,600 | 10,328,900 | 9,930,300 |
| Judicial Council | 119,800 | 119,300 | 119,800 | 122,600 | 115,600 |
| Court of Appeals | 1,082,200 | 1,105,100 | 1,102,800 | 1,122,600 | 1,117,000 |
| Guardian Ad Litem Account | 444,100 | 444,100 | 446,500 | 468,200 | 430,900 |
| Snake River Basin Adjudication | 838,000 | 801,500 | 802,300 | 819,300 | 808,300 |
| Total: | 28,304,800 | 28,076,400 | 28,497,200 | 28,638,500 | 27,925,100 |
| BY FUND CATEGORY | | | | | |
| General | 25,446,400 | 25,385,100 | 25,688,800 | 26,046,000 | 25,385,600 |
| Dedicated | 2,439,600 | 2,279,300 | 2,389,600 | 2,163,600 | 2,120,700 |
| Federal | 418,800 | 412,000 | 418,800 | 428,900 | 418,800 |
| Total: | 28,304,800 | 28,076,400 | 28,497,200 | 28,638,500 | 27,925,100 |
| Percent Change: | | (0.8%) | 1.5% | 0.5% | (2.0%) |
| BY OBJECT OF EXPENDITURE | | | | | |
| Personnel Costs | 0 | 21,753,500 | 0 | 22,657,400 | 22,591,100 |
| Operating Expenditures | 0 | 4,903,400 | 0 | 4,652,200 | 4,042,400 |
| Capital Outlay | 0 | 862,400 | 0 | 747,600 | 747,600 |
| Trustee/Benefit | 0 | 557,100 | 0 | 581,300 | 544,000 |
| Lump Sum | 28,304,800 | 0 | 28,497,200 | 0 | 0 |
| Total: | 28,304,800 | 28,076,400 | 28,497,200 | 28,638,500 | 27,925,100 |
| Full-Time Positions (FTP) | 247.00 | 247.00 | 247.00 | 247.00 | 247.00 |

Department Description

The Judicial Branch is made up of the following programs:

- 1) The Supreme Court of Idaho is the state's court of last resort. The Court hears appeals from final decisions of the District Court, as well as from orders of the PUC and the Industrial Commission.
- 2) The Law Library is the state repository for official publications received from other states and federal government.
- 3) The District Courts have original jurisdiction over all civil and criminal cases, and appeals from the Magistrate Division, state agencies and boards.
- 4) The Magistrate Division has jurisdiction over cases involving domestic violence, domestic relations, juvenile cases, and civil cases under \$10,000, felony preliminary hearings, criminal misdemeanors, and infractions.
- 5) The Idaho Judicial Council is empowered by statute to nominate persons to the Governor for appointment to vacancies on the Supreme Court, Court of Appeals, and District Courts and make recommendations to the Supreme Court for the removal, discipline and retirement of judicial officers.
- 6) The Court of Appeals provides another court to share the appellate caseload with the Idaho Supreme Court. The court has jurisdiction to hear and decide all cases assigned to it by the Supreme Court; except cases invoking the Supreme Court's original jurisdiction, appeals from the Industrial Commission, PUC, and death penalty cases.
- 7) Guardian Ad Litem grants are awarded to Court Appointed Special Advocate (CASA) programs to recruit, train and coordinate volunteers to act as court appointed special advocates for abused, neglected or abandoned children under the Child Protective Act.
- 8) The Snake River Basin Adjudication is a court process established to inventory all surface and ground water rights in the Snake River drainage.

Judicial Branch

Comparative Summary

| | | Agency Requ | iest | Governor's Rec | | |
|--------------------------------------|--------|-------------|------------|----------------|------------|------------|
| Decision Unit | FTP | General | Total | FTP | General | Total |
| FY 2003 Original Appropriation | 247.00 | 25,688,800 | 28,497,200 | 247.00 | 25,688,800 | 28,497,200 |
| Budget Reduction (Neg. Supp.) | 0.00 | (899,100) | (899,100) | 0.00 | (899, 100) | (899, 100) |
| Other Approp Adjustments | 0.00 | 0 | 0 | 0.00 | 0 | 0 |
| FY 2003 Total Appropriation | 247.00 | 24,789,700 | 27,598,100 | 247.00 | 24,789,700 | 27,598,100 |
| Removal of One-Time Expenditures | 0.00 | 0 | (270,000) | 0.00 | 0 | (270,000) |
| Restore Budget Reduction | 0.00 | 899,100 | 899,100 | 0.00 | 341,300 | 341,300 |
| FY 2004 Base | 247.00 | 25,688,800 | 28,227,200 | 247.00 | 25,131,000 | 27,669,400 |
| Personnel Cost Rollups | 0.00 | 229,600 | 230,600 | 0.00 | 260,500 | 261,600 |
| Inflationary Adjustments | 0.00 | 78,300 | 119,900 | 0.00 | 0 | 0 |
| Nonstandard Adjustments | 0.00 | (5,900) | (5,900) | 0.00 | (5,900) | (5,900) |
| Change in Employee Compensation | 0.00 | 55,200 | 55,700 | 0.00 | 0 | 0 |
| FY 2004 Program Maintenance | 247.00 | 26,046,000 | 28,627,500 | 247.00 | 25,385,600 | 27,925,100 |
| 1. Spend Interest in Dedicated Fund | 0.00 | 0 | 11,000 | 0.00 | 0 | 0 |
| Lump-Sum or Other Adjustments | 0.00 | 0 | 0 | 0.00 | 0 | 0 |
| FY 2004 Total | 247.00 | 26,046,000 | 28,638,500 | 247.00 | 25,385,600 | 27,925,100 |
| Change from Original Appropriation | 0.00 | 357,200 | 141,300 | 0.00 | (303,200) | (572,100) |
| % Change from Original Appropriation | | 1.4% | 0.5% | | (1.2%) | (2.0%) |

Judicial Branch

| Budget by Decision Unit | FTP | General | Dedicated | Federal | Total |
|---------------------------------------|--------|------------|-----------|---------|------------|
| FY 2003 Original Appropriation | | | | | |
| | 247.00 | 25,688,800 | 2,389,600 | 418,800 | 28,497,200 |

Budget Reduction (Neg. Supp.)

§67-3512A, Idaho Code states that when the Governor authorizes an executive holdback "no reduction of spending authority for the legislative and judicial departments shall be made without the permission in writing of the head of such department." The Chief Justice of the Supreme Court complied with the Governor's request to temporarily reduce General Fund spending in FY 2003 by 3.5%.

Reductions were taken in the following programs:

Supreme Court general operating expenditures \$102,500,

District Courts \$41,600 in court reporter salaries, and \$341,300 in drug courts,

Magistrate Division \$40,000 in salary savings, \$340,400 in coordinated services to families & children,

Judicial Council \$4,200 in operating expenditures,

Guardian Ad Litem \$15,600 in trustee/benefits,

Snake River Basin Adjudication \$3,500 in general operating expenditures.

Agency Request 0.00 (899,100)0 (899,100)

The Governor recommends that the General Fund holdback, as requested by Executive Orders 2002-08 and 2002-09, be incorporated as a negative supplemental appropriation for FY 2003.

| Governor's Recommendation | 0.00 | (899,100) | 0 | 0 | (899,100) |
|---------------------------------|---------------|------------|-----------|---------|------------|
| Other Approp Adjustments | | | | | |
| Lump sum appropriation adjustme | ents that net | to zero. | | | |
| Agency Request | 0.00 | 0 | 0 | 0 | 0 |
| Governor's Recommendation | 0.00 | 0 | 0 | 0 | 0 |
| FY 2003 Total Appropriation | | | | | |
| Agency Request | 247.00 | 24,789,700 | 2,389,600 | 418,800 | 27,598,100 |
| Governor's Recommendation | 247.00 | 24,789,700 | 2,389,600 | 418,800 | 27,598,100 |
| Removal of One-Time Expenditur | es | | | | |
| Agency Request | 0.00 | 0 | (270,000) | 0 | (270,000) |
| Governor's Recommendation | 0.00 | 0 | (270,000) | 0 | (270,000) |
| Doctors Budget Deduction | | | | | |

Restore Budget Reduction

Restores the 3.5% General Fund holdback to build the FY 2004 Base.

Agency Request 0.00 899,100 899,100

The Governor recommends that reductions made in appropriations in fiscal year 2003 not be restored to the budget base except for the temporary reductions in Drug Court programs.

Governor's Recommendation 0.00 341.300 0 0 341.300

| F | FY 2004 Base | | | | | |
|---|---------------------------|--------|------------|-----------|---------|------------|
| | Agency Request | 247.00 | 25,688,800 | 2,119,600 | 418,800 | 28,227,200 |
| | Governor's Recommendation | 247.00 | 25,131,000 | 2,119,600 | 418,800 | 27,669,400 |

Personnel Cost Rollups

Includes the employer portion of estimated changes in employee benefit costs, plus \$3,100 in trustee/benefit payments for health insurance for pro-tem judges.

Agency Request 229.600 1.000 230.600

The Governor also recommends additional funding to be applied to the employee paid portion of health and dental insurance cost increases, in order to prevent employees from experiencing a reduction in take-home pay.

Governor's Recommendation 0.00 260,500 1,100 0 261,600

Judicial Branch

| Budget by Decision Unit | | | | | |
|--|--|--|--|---|--|
| Budget by Decision Unit | FTP | General | Dedicated | Federal | Total |
| Inflationary Adjustments | | | | | |
| Includes a general inflationary in | | | • | | • |
| Agency Request | 0.00 | 78,300 | 31,500 | 10,100 | 119,900 |
| The Governor recommends no ir | _ | _ | | | _ |
| Governor's Recommendation | 0.00 | 0 | 0 | 0 | 0 |
| Nonstandard Adjustments | | | | | |
| Includes \$1,800 for risk manager increase of \$2,400 for State Treating | | creases, a decre | ase of \$10,100 fo | r State Controlle | er fees, and an |
| Agency Request | 0.00 | (5,900) | 0 | 0 | (5,900) |
| Governor's Recommendation | 0.00 | (5,900) | 0 | 0 | (5,900) |
| Change in Employee Compensation | tion | | | | |
| Reflects the cost of a 1% salary i judiciary. | increase for _l | permanent and g | group positions ex | cluding membe | rs of the |
| Agency Request | 0.00 | 55,200 | 500 | 0 | 55,700 |
| The Governor does not recomme increases may be funded with ag | | | | ses. Compens | ation |
| Governor's Recommendation | 0.00 | 0 | 0 | 0 | 0 |
| FY 2004 Program Maintenance |) | | | | |
| Agency Request | 247.00 | 26,046,000 | 2,152,600 | 428,900 | 28,627,500 |
| Governor's Recommendation | 247.00 | 25,385,600 | 2,120,700 | 418,800 | 27,925,100 |
| | | | | | |
| 1. Spend Interest in Dedicated F | und | | | Guardian Ad I | Litem Account |
| 1. Spend Interest in Dedicated F Request to spend the accrued in | | Guardian Ad Lite | em Fund on a one | | Litem Account |
| | | Guardian Ad Lite 0 | em Fund on a one 11,000 | | Litem Account |
| Request to spend the accrued in | terest in the 0.00 at the Govern lature as the | 0 nor shall transmi y were submitted | 11,000 It the budget reque If by the departme | e-time basis. 0 ests of the legis | 11,000 lative and |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legisl | terest in the 0.00 at the Govern lature as the | 0 nor shall transmi y were submitted | 11,000 It the budget reque If by the departme | e-time basis. 0 ests of the legis | 11,000 lative and |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legist included the funding for this enhance. | terest in the 0.00 at the Govern lature as the ancement in 0.00 | 0 nor shall transmi y were submitted the executive bu | 11,000 It the budget reque If by the departme dget document. | e-time basis. 0 ests of the legis nts. The Gover | 11,000 lative and rnor has not |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legist included the funding for this enhancement of the second control of the second contr | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tr | 0 nor shall transmi y were submitted the executive bu 0 aditionally set lui | 11,000 If the budget reque If by the departme If dget document. 0 mp-sum allowing i | e-time basis. 0 ests of the legis nts. The Gover | 11,000 lative and rnor has not 0 |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legislincluded the funding for this enhancement of the second commendation Lump-Sum or Other Adjustment: The appropriation for the Judicial | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tr | 0 nor shall transmi y were submitted the executive bu 0 aditionally set lui | 11,000 If the budget reque If by the departme If dget document. 0 mp-sum allowing i | e-time basis. 0 ests of the legis nts. The Gover | 11,000 lative and rnor has not 0 |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legist included the funding for this enhancement of the Second | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tri | 0 nor shall transmi y were submitted the executive bu 0 aditionally set lui | 11,000 If the budget reque If by the departme If dget document. 0 If the budget reque If the budget request If the budget | e-time basis. 0 ests of the legis nts. The Gover | 11,000 lative and mor has not 0 nsfers |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legislincluded the funding for this enhance Governor's Recommendation Lump-Sum or Other Adjustment: The appropriation for the Judicial between personnel costs, operating Agency Request | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tri ing expendite 0.00 | 0 nor shall transmi y were submitted the executive bu 0 aditionally set lui ures, capital outle 0 | 11,000 If the budget reque If by the departme If dight document. 0 If the budget reque If the budget reques | e-time basis. 0 ests of the legis nts. The Gover 0 for unlimited tra enefit payment. 0 | 11,000 lative and rnor has not 0 nsfers |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legislincluded the funding for this enhal Governor's Recommendation Lump-Sum or Other Adjustment: The appropriation for the Judicial between personnel costs, operat Agency Request Governor's Recommendation | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tri ing expendite 0.00 | 0 nor shall transmi y were submitted the executive bu 0 aditionally set lui ures, capital outle 0 | 11,000 If the budget reque If by the departme If dight document. 0 If the budget reque If the budget request If the b | e-time basis. 0 ests of the legis nts. The Gover 0 for unlimited tra enefit payment. 0 | 11,000 lative and rnor has not 0 nsfers |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legislincluded the funding for this enhance of the second control of the Judicial between personnel costs, operating Agency Request Governor's Recommendation FY 2004 Total | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is training expendite 0.00 0.00 | nor shall transmi y were submitted the executive bu 0 aditionally set lui ures, capital outle 0 | 11,000 If the budget reque If by the departme If dget document. 0 Imp-sum allowing it ay, and trustee/be 0 0 | e-time basis. 0 ests of the legis nts. The Gover 0 for unlimited tra enefit payment. 0 0 | 11,000 lative and rnor has not 0 nsfers 0 0 |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legislincluded the funding for this enhal Governor's Recommendation Lump-Sum or Other Adjustment: The appropriation for the Judicial between personnel costs, operat Agency Request Governor's Recommendation FY 2004 Total Agency Request | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tr ing expendite 0.00 0.00 | nor shall transmi y were submitted the executive bu 0 aditionally set lui ures, capital outle 0 0 | 11,000 It the budget reque If by the department If the budget reque If the budget request requ | e-time basis. 0 ests of the legisents. The Gover 0 for unlimited tracenefit payment. 0 0 428,900 | 11,000 lative and rnor has not 0 nsfers 0 28,638,500 |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legislincluded the funding for this enhalm Governor's Recommendation Lump-Sum or Other Adjustment: The appropriation for the Judicial between personnel costs, operat Agency Request Governor's Recommendation FY 2004 Total Agency Request Governor's Recommendation | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tr ing expendite 0.00 0.00 | nor shall transmi y were submitted the executive bu 0 aditionally set lui ures, capital outle 0 0 | 11,000 It the budget reque If by the department If the budget reque If the budget request requ | e-time basis. 0 ests of the legisents. The Gover 0 for unlimited tracenefit payment. 0 0 428,900 | 11,000 lative and rnor has not 0 nsfers 0 28,638,500 |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legisl included the funding for this enhance of the second of the second of the second of the Judicial between personnel costs, operated agency Request Governor's Recommendation FY 2004 Total Agency Request Governor's Recommendation Agency Request Governor's Recommendation Agency Request | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tr ing expendite 0.00 0.00 247.00 247.00 | nor shall transmi y were submitted the executive bu 0 aditionally set lui ures, capital outli 0 0 26,046,000 25,385,600 | 11,000 It the budget requed by the department dget document. 0 mp-sum allowing ay, and trustee/be 0 0 2,163,600 2,120,700 | e-time basis. 0 ests of the legislants. The Gover 0 for unlimited tracenefit payment. 0 428,900 418,800 | 11,000 lative and rnor has not 0 nsfers 0 28,638,500 27,925,100 |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legist included the funding for this enhance Governor's Recommendation Lump-Sum or Other Adjustment: The appropriation for the Judicial between personnel costs, operate Agency Request Governor's Recommendation FY 2004 Total Agency Request Governor's Recommendation Agency Request Change from Original App % Change from Original App | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tr ing expendite 0.00 247.00 0.00 | nor shall transmi y were submitted the executive bu 0 additionally set lui ures, capital outle 0 0 26,046,000 25,385,600 | 11,000 If the budget request by the department dget document. 0 mp-sum allowing and trustee/be 0 0 2,163,600 2,120,700 (226,000) | e-time basis. 0 ests of the legis nts. The Gover 0 for unlimited tra enefit payment. 0 428,900 418,800 10,100 | 11,000 lative and nor has not 0 nsfers 0 28,638,500 27,925,100 141,300 |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legislincluded the funding for this enhancement of the second | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tri ing expendite 0.00 247.00 247.00 0.00 0.00 | nor shall transmi y were submitted the executive bu 0 aditionally set ludures, capital outled 0 0 26,046,000 25,385,600 357,200 1.4% | 11,000 If the budget request by the department dget document. 0 Imp-sum allowing ay, and trustee/bear, and trustee/bear, and trustee/bear, and ay, | e-time basis. 0 ests of the legislants. The Gover 0 for unlimited tracenefit payment. 0 428,900 418,800 10,100 2.4% | 11,000 lative and mor has not 0 nsfers 0 28,638,500 27,925,100 141,300 0.5% |
| Request to spend the accrued in Agency Request §67-3506, Idaho Code, states the judicial departments to the Legist included the funding for this enhance Governor's Recommendation Lump-Sum or Other Adjustment: The appropriation for the Judicial between personnel costs, operate Agency Request Governor's Recommendation FY 2004 Total Agency Request Governor's Recommendation Agency Request Change from Original App % Change from Original App | terest in the 0.00 at the Govern lature as the ancement in 0.00 s I Branch is tr ing expendite 0.00 247.00 0.00 | nor shall transmi y were submitted the executive bu 0 additionally set lui ures, capital outle 0 0 26,046,000 25,385,600 | 11,000 If the budget request by the department dget document. 0 mp-sum allowing and trustee/be 0 0 2,163,600 2,120,700 (226,000) | e-time basis. 0 ests of the legis nts. The Gover 0 for unlimited tra enefit payment. 0 428,900 418,800 10,100 | lative and nor has not 0 nsfers 0 28,638,500 27,925,100 141,300 |

Judicial Branch Issues & Information

IDAHO'S INTEGRATED COURT STRUCTURE

SUPREME COURT

Chief Justice and four Associate Justices. Staggered terms of 6 years after non-partisan, at-large election.

Original jurisdiction in:

- (1) Claims against State (advisory opinions)
- (2) Extraordinary writs

Appellate jurisdiction in:

- (1) Appeals from interim orders and final judgment in district courts
- (2) Direct appeals from certain administrative agencies

COURT OF APPEALS

Chief Judge and two Associate Judges. Staggered terms of 6 years after non-partisan, at-large statewide election.

Jurisdiction limited to appeals from the district courts which are assigned by the Supreme Court.

DISTRICT COURTS

39 district judges presently authorized. Terms of 4 years after non-partisan election within the judicial district.

Original jurisdiction over civil and criminal cases including:

- (1) Personal injury & other civil claims
- (2) Contracts
- (3) Property Disputes
- (4) Felonies

Appellate jurisdiction:

- (1) Appeals from Magistrates Division
- (2) Appeals from state agencies and boards
- (3) Appeals from small claims departments

indicates court to which appeals taken

MAGISTRATE DIVISIONS

82 magistrate judges authorized. Terms: Initial 18 months upon appointment by district magistrates commission; subsequent four-year terms by county retention election.

Jurisdiction, generally;

- (1) Civil actions, i.e., personal injury, property disputes, contracts, etc., to \$10,000
- (2) Small claims
- (3) Traffic cases
- (4) Probate of decedent estates
- (5) Juvenile correction proceedings
- (6) Child protective proceedings
- (7) Misdemeanors
- (8) Arrest warrants; searches & seizures
- (9) Preliminary hearings for probable cause on felony complaints
- (10) Domestic relations

SMALL CLAIMS DEPARTMENTS

Magistrates sit for small claims.

Jurisdiction limited to civil actions up to \$3,000 over defendants within the county.

Attorneys not allowed in the trial of small claims actions.

No jury trials in small claims cases.